

LLB
FIRST SEMESTER
LAW OF TORT INCLUDING MV ACT &
CONSUMER PROTECTION LAW
LLB – 105

Duration: 30 minutes

Marks – 30

(PART A- Objective Type)

I. Choose the correct answer:

1×10=10

- i) The duty under the law of tort is:
 - (a) Towards a specific individual
 - (b) Towards the particular group
 - (c) Towards the world at large
 - (d) Towards the God
- ii) The propounder of pigeon hole theory is:
 - (a) Salmond
 - (b) Winfield
 - (c) Austin
 - (d) Bentham
- iii) Volenti non fit injuria is:
 - (a) A defence in an action for torts
 - (b) It not a defence in action for torts
 - (c) It is a means of committing torts
 - (d) None of above is correct
- iv) Nicholas v. Marsland case is related to:
 - (a) Volenti non fit injuria
 - (b) Act of God
 - (c) Private Defence
 - (d) Inevitable Accident
- v) When an agent commits a tort in the performance of his duty as an agent, the injured party can:
 - (a) Sue the principal only.
 - (b) Sue the agent only.
 - (c) Sue either the principal or the agent or both of them.
 - (d) Not sue either principal or agent.
- vi) Slander is the publication of defamatory statement in a:
 - (a) Transient form.
 - (b) Permanent form.
 - (c) Transient and permanent form.
 - (d) Neither transient nor permanent form.
- vii) _____ section of the Consumer Protection Act, 1986 define Complaint.
 - (a) 2(a)
 - (b) 2(b)
 - (c) 2(c)
 - (d) 2(d)
- viii) As per section 2(1)(b) of Consumer Protection Act, 1986 "complainant" means:
 - (a) A consumer.
 - (b) Any consumer association registered under the Companies Act, 1956.
 - (c) The Central Government or any State Government.
 - (d) All the above.

- ix) The period of limitation for an appeal to State Commission against the order of District Forum is:
 - (a) 30 days from the date of order.
 - (b) 60 days from the date of order.
 - (c) 30 days from the date of order is communicated.
 - (d) 60 days from the date of order is communicated.

- x) What is the minimum age to be appointed as the member of consumer dispute redressal forum/commission?
 - (a) 35
 - (b) 40
 - (c) 25
 - (d) 20

II. Answer the following questions:

2×10=20

- i) What are unliquidated damages?
- ii) What is the meaning of the maxim *Damnum sine injuria*?
- iii) **Match the following:**

A . Ashby v. White	----- I. Act of God
B. Vishnu Datt v. Board of H.S & Intermediate Education, U.P	----- II. Injuria sine damno
C. Padmawati v. Dugganika	----- III. Inevitable accident
D. Rylands v. Fletcher	----- IV. <i>Damnum sine injuria</i>
- iv) What do you mean by *Res ipsa Loquitur*?

v) What do you mean by *Trespass ab initio*?

vi) What is the difference between Strict Liability and Absolute Liability?

vii) What is the Pecuniary Jurisdiction of District Forum under the Consumer Protection (Amendment) Act, 2002?

viii) **Match the following:**

- | | | |
|---------------------------|-------|-----------|
| A. Consumer | ----- | I. 2(a) |
| B. Appropriate laboratory | ----- | II. 2(d) |
| C. Complaint | ----- | III. 2(e) |
| D. Consumer dispute | ----- | IV. 2(c) |

ix) Mr. A bought a I phone at the price of Rs. 60,000/- on 15/11/2015 which was defective. He went to the shop on 16/11/2015 where from he bought the phone to return it. The shopkeeper refused to accept the same. On 20/11/2017 Mr. A file a complaint to District Forum for compensation and action against the shopkeeper. Decide the case.

x) What do you mean by speaking order?



University of Science and Technology, Meghalaya

Date Stamp: _____

SESSION: 2017-18			
COURSE _____ PAPER CODE: _____			
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Instructions to Candidates		For Objective Type Questions	
<ol style="list-style-type: none"> This answer booklet has 4 pages. Please check before writing whether it is complete or in good condition. Do not write your name anywhere in the answer booklet. Write legibly on both sides of the paper You may use some space for any rough notes or calculation on the answer booklet if you need. These rough notes, calculations must be scored out before submitting the answer booklet. Do not bring any book or loose paper in the examination hall. Do not tear any page from the answer booklet. Do not write anything on the question paper or blotting paper or any pieces of paper while you are in the examination hall. Any act of indiscipline or misbehavior in the examination hall will result in your expulsion. No examinee is allowed to leave the examination hall until 30 minutes lapse after the commencement of the examination. Additional answer sheet will be supplied after the main answer booklet is completed. 		Session: 2017-18 Course _____ Roll No. _____ Enrollment No. _____ Semester _____ Name of the Paper _____ Paper Code _____	
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